

PATENT

In re application of: William J. Goetzinger et al : Date: August 17, 2005
Group Art Unit: 2662 : IBM Corporation
Examiner: B. S. Roberts : Intellectual Property Law
Serial No.: 10/004,373 : Dept. 917, Bldg. 006-1
Filed: November 1, 2001 : 3605 Highway 52 North
Title: QOS SCHEDULER AND METHOD FOR : Rochester, MN 55901
IMPLEMENTING PEAK SERVICE DISTANCE
USING NEXT PEAK SERVICE TIME
VIOLATED INDICATION

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Mail Stop AF
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants request that the information listed on the attached Form PTOSB08A be considered by the Office during the pendency of the above entitled application, pursuant to 37 C.F.R. §1.97. In accordance with 37 C.F.R. §1.97(h), the filing of this Information Disclosure Statement shall not constitute an admission that any information cited therein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b). In the interest of full and complete disclosure to the Office, some or all of the art cited herein may not be considered by Applicant(s) or the Undersigned to be material under the new standard of materiality defined in 37 C.F.R. §1.56(b), enacted March 16, 1992, but may be material under the old standard of materiality defined in 37 C.F.R. §1.56(a), last amended on November 28, 1988, or may merely be technical background which may be of interest to the Examiner. In accordance with 37 C.F.R. §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

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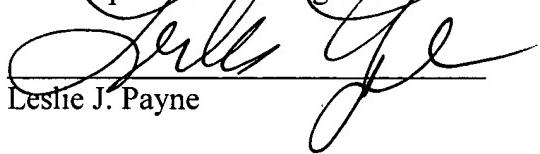
Docket No. ROC920010203US1
Serial No. 10/004,373

This Information Disclosure Statement is being filed under 37 C.F.R. §1.97(d) after final office action or notice of allowance, but before payment of the issue fee. The certification specified in 37 C.F.R. §1.97(e) follows below.

The petition fee of \$130.00 set forth in 37 C.F.R. §1.17(i) is to be charged to our Deposit Account No. 09-0465.

CERTIFICATION

I hereby certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

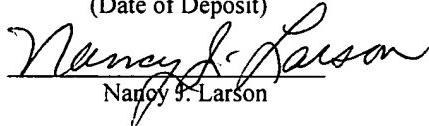

Leslie J. Payne

August 17, 2005
Date

Date: August 17, 2005

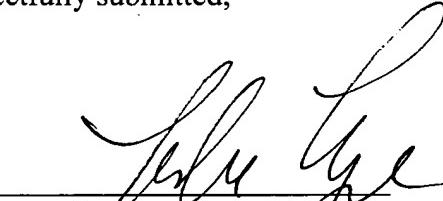
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450, on

August 17, 2005
(Date of Deposit)


Nancy J. Larson

Respectfully submitted,

By:


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AUG 19 2005

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

Sheet _1_ of _1_

Application Number.: 10/004,373
 Filing Date: November 1, 2001
 First Named Inventor: William J. Goetzinger
 Art Unit: 2662
 Examiner Name: B. S. Roberts
 Attorney Docket Number.: ROC920010203US1

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	<u>Document Number</u> Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear
		US 5,790,545 A	08/04/1998	Craig Sheppard Holt et al	
		US 5,926,459 A	07/20/1999	J. Bryan Lyles et al	
		US 5,946,297 A	08/31/1999	Jean Calvignac et al	
		US 6,469,982 B1	10/22/2002	Michel A.R. Henrion et al	
		US 6,646,986 B1	11/11/2003	Maged E. Beshai	
		US 6,804,249 B1	10/12/2004	Brian Mitchell Bass et al	
		US 6,888,830 B1	05/03/2005	Wilson P. Snyder II et al	
		US2003/00588798A1	03/27/2003	Darryl J. Rumph	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	<u>Foreign Patent Document</u> Country ³ - Number ⁴ - Kind Code ⁵ Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns or Lines Where Relevant Passages or Figs. Appear	T ⁶

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).

⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language translation is attached.